

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAFAEL APOLINAR,

Petitioner,

v.

RAYMOND MADDEN,

Respondent.

Case No. 1:21-cv-00217-DAD-SAB-HC

ORDER DIRECTING RESPONDENT TO
LODGE RECORDINGS OF INTERVIEWS

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

In the petition, Petitioner asserts that the statements he made to law enforcement on August 3, 2011 should have been suppressed and the state courts' adjudication of his Miranda claim resulted in a decision that was contrary to, or involved an unreasonable application of, clearly established federal law as determined by the Supreme Court and was based on an unreasonable determination of the facts in light of the evidence presented in the state court. (ECF No. 1 at 5, 19).¹

Respondent has lodged copies of the transcripts of the two interviews conducted on August 3, 2011 with the Court. (1 Aug. CT² 192–282). Based on the record before the Court, it

¹ Page numbers refer to the ECF page numbers stamped at the top of the page.

² "Aug. CT" refers to the Augmented Clerk's Transcript on Appeal lodged by Respondent on May 11, 2021. (ECF No. 14-3).

1 appears that there is a video recording of the first interview and an audio recording of the second
2 interview. (See ECF No. 14-9 at 16 (noting that Petitioner was interviewed twice on August 3,
3 2011 and that the first interview was video recorded and the second was audio recorded)). The
4 Court finds that review of the recordings of the interviews would assist the Court in this matter.

5 Accordingly, Respondent SHALL LODGE with the Court copies of the recordings of
6 Petitioner's August 3, 2011 interviews within twenty-one (21) days of the date of service of this
7 order.

8
9 IT IS SO ORDERED.

10 Dated: June 21, 2022


UNITED STATES MAGISTRATE JUDGE